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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/758,716	01/16/2004	Joy Sawycr Bloom	AD6950USNA	6558
23906 7590 11/26/2007 E I DU PONT DE NEMOURS AND COMPANY LEGAL PATENT RECORDS CENTER BARLEY MILL PLAZA 25/1128 4417 LANCASTER PIKE WILMINGTON, DE 19805				
			EXAMINER WOLLSCHLAGER, JEFFREY MICHAEL	
			ART UNIT 1791	PAPER NUMBER
			NOTIFICATION DATE 11/26/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTO-Legal.PRC@usa.dupont.com

Office Action Summary

Application No.

10/758,716

Applicant(s)

BLOOM ET AL.

Examiner

Jeff Wollschlager

Art Unit

1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) 2-8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Applicant's amendment to the claims filed August 31, 2007 has been entered. Claim 1 is currently amended. Claims 5-8 are new. Claims 2-4 remain withdrawn from further consideration.

Election/Restrictions

Newly submitted claims 5-8 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: For the purposes of examination, the newly submitted product claims can be made by another and materially different process. See MPEP 2113.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 5-8 withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03. Accordingly, claim 1 is currently the only claim under examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various

claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miller et al. (US 6,024,126) in view of Koshal (Manufacturing Engineers Reference Book, 1993) and Baird et al. (Polymer Processing, 1995).

Regarding claim 1, Miller et al. disclose a method of producing a uniform cross section thermoplastic compressor valve (Abstract). Miller et al. disclose employment of aromatic polyester liquid crystalline materials (col. 6, lines 25-30) in a method comprising: filling a mold with polymeric resin powder and compression molding the powder to make an integral unit. Miller et al. do not disclose the specific conditions regarding the compression molding process nor the degree of flow/shear in the process. However, Koshal discloses that compression molding consists of heating a polymer, including powder forms (Figure 2.20), to its melting point and forming the product under pressure (page 2/28, section 2.6.3). The product and the mold are ultimately cooled (page 2/28, section 2.6.3). Further, Baird et al. disclose that compression molding typically involves very little flow (page 284).

Therefore it would have been *prima facie* obvious to one having ordinary skill in the art at the time of the claimed invention to have employed a conventional compression molding technique, such as is disclosed by Koshal, to practice the generically disclosed compression molding method of Miller for the purpose of effectively practicing compression molding as is routinely practiced in the art. Further, as shown by Baird et al., compression molding is known

to typically involve very little flow. The examiner further notes that the instant specification lists one of the products made by the method as being a valve.

Accordingly, the examiner maintains that the evidence of record supports a *prima facie* conclusion that the product produced by the method as set forth above in view of the combined prior art meets the broadly defined "isotropic" limitation instantly claimed.

Response to Arguments

Applicant's arguments filed August 31, 2007, in view of the amendment to the claims limiting the process to a compression molding process, have overcome the extrusion process disclosed by Rubin et al.

Applicant's arguments filed August 31, 2007 regarding the rejection over Miller et al. in view of secondary references have been fully considered but they are not persuasive. Applicant argues that Miller et al. employ resin pieces or powder particulate while the instant invention employs powder only. This argument is not persuasive. The examiner notes that Miller et al. disclose powder and that this is sufficient to meet the argued limitation as it is currently presented in the claims.

Applicant further argues that none of the references discuss that the part produced is isotropic. This argument is not persuasive. As an initial matter, the examiner notes that the word "isotropic", with the current claim amendment, has now been deleted from the body of the claim. Further, the examiner notes that the combination practices the same claimed method with the same claimed materials. As such, the same claimed effects and physical properties would be realized by the practice of the method. Further still, the examiner notes the original disclosure very broadly defines the term "isotropic" to be the ratio of the CTE in two directions in the part to be about 0.6 to 1.0. In other words the term is not limited to the conventional

meaning of the term isotropic wherein the properties are invariant with respect to the direction (i.e. ratio = 1.0). For these reasons, the examiner concludes the product produced by the method as set forth in the rejection above meets the argued limitation.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

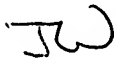
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeff Wollschlager whose telephone number is 571-272-8937. The examiner can normally be reached on Monday - Thursday 7:00 - 4:45, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on 571-272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Jeff Wollschlager
Examiner
Art Unit 1791

November 15, 2007



CHRISTINA JOHNSON
SUPERVISORY PATENT EXAMINER